IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.14024 of 2000

Dated: 26-09-2007

Between:

1. Andhra Pradesh State Road Transport Corporation,
   Mushirabad, Hyderabad,
   rep. by its Managing Director and another.

... Petitioners

and

1. State Transport Appellate Tribunal,
   Andhra Pradesh, Hyderabad,
   rep. by its Presiding Officer and 2 others.

... Respondents

ORDER:

Questioning the order dated 09-12-1999 passed in A.P.No.328/98 by first respondent - State Transport Appellate Tribunal, Hyderabad, setting aside the order dated 20-04-1998 passed in Rc.No.12539/A1/97 by second respondent – Regional Transport Authority, the Andhra Pradesh State Road Transport Corporation filed the present writ petition.

2. In the order impugned, the first respondent while setting aside

the order, dated 20-04-1998 passed in Rc.No.12539/A1/97, specifically directed the second respondent to grant stage carriage permit to the third respondent on the mofussil route applied by him, within a period of four months from the date of receipt of the order on production of proper records and relevant documents as required under the provisions of the Motor Vehicles Act, 1988 as well as the Andhra Pradesh Motor Vehicles Rules, 1989.

3. The second respondent filed a counter affidavit wherein it is stated that the time limit of four months granted by the State Transport Appellate Tribunal expired on 18-04-2000 and the third respondent did not produce relevant documents before the second respondent for issuance of pucca stage carriage permit and thus no permit yet has been issued in favour of the third respondent.

4. Heard learned counsel for the parties.

5. The counter affidavit filed by the second respondent – Deputy Transport Commissioner, Srikakulam was sworn on 23-06-2001. That means even after one and half years from the date when the impugned order was passed by the appellate authority, the third respondent has not applied for pucca stage carriage permit. Hence, this Court is of the view that it may not be necessary to go into various aspects raised by the learned counsel for the petitioner

6. Accordingly the writ petition is dismissed. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.26-09-2007
GLV